



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

Ms. Dorothy Rice
Executive Director
State Water Resources Control Board
P.O. Box 100
Sacramento, CA 95812-0100

Dear Ms. Rice:

The State previously submitted the Basin Plan Amendment containing total maximum daily loads (TMDLs) for nitrogen compounds and related effects and associated implementation plans for Calleguas Creek, Tributaries and Mugu Lagoon. The TMDL submittal was dated June 4, 2003. EPA received the State Office of Administrative Law approval memo on July 5, 2003. Upon further review of the submittal, EPA has determined the State included a nitrogen TMDL for Oxnard Drain #3 (a.k.a. Calleguas Creek Reach 10) in the submittal; however this reach was inadvertently omitted from EPA's previous approval letter, dated June 23, 2003.

Based on EPA's review of the TMDL submittal under Section 303(d), I have concluded that the TMDL for Oxnard Drain #3 adequately addresses the pollutant of concern and, upon implementation, will result in attainment of the water quality standards adopted by the State. The TMDL includes wasteload and load allocations as needed, takes into consideration seasonal variations and critical conditions, and provides adequate margins of safety. The State has provided adequate opportunities for public review and comment on the TMDL and demonstrated how public comments were considered in the final TMDL. All required elements are adequately addressed; therefore, the TMDL is hereby approved pursuant to Clean Water Act Section 303(d)(2).

The TMDL submittal also contains a detailed plan for implementing the TMDL. Current federal regulations do not define TMDLs as containing implementation plans; therefore, EPA is not taking action on the implementation plan provided with this TMDL. However, EPA concurs with the State's proposed implementation approaches.

If you have questions concerning this approval, please call me at (415) 972-3572 or Peter Kozelka at (415) 972-3448.

Sincerely yours,

Alexis Strauss 23 February 2009
Alexis Strauss,
Director, Water Division

Enclosure

cc: T. Egoscue, Los Angeles RWQCB